

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SUSAN GILNER,
Appellant,
v.

No. C-07-0960 MMC

**ORDER DISCHARGING ORDER TO
SHOW CAUSE; SETTING BRIEFING
SCHEDULE**

LINDA LICALSI, et al.,
Appellees

Before the Court is appellant's "Final Opportunity to Show Cause Why Appeal Should Not Be Dismissed - And Copies of Filed Documents Relevant [sic] to the Issue Presented," filed September 7, 2007. Appellant's filing is in response to the Court's order of August 27, 2007, by which the Court declined to discharge its August 10, 2007 order directing appellant to show cause why the instant bankruptcy appeal should not be dismissed for failure to prosecute.

Having considered appellant's response, the Court hereby exercises its discretion to DISCHARGE the order to show cause.

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1 The Court sets the following briefing schedule on the merits of appellant's appeal:

- 2 1. No later than September 28, 2007, appellees shall file a response to appellant's
3 opening brief.¹
- 4 2. No later than October 19, 2007, appellant may file a reply to appellee's response.
- 5 3. As of October 19, 2007, the matter will be taken under submission.

6 **IT IS SO ORDERED.**

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8 Dated: September 11, 2007


MAXINE M. CHESNEY
United States District Judge

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26 ¹The Court construes appellant's opening brief to consist of her filings of August 21,
27 2007 and September 7, 2007. The Court construes the Record on Appeal to consist of the
28 following documents: (1) the documents attached to appellant's filing of September 7,
2007; (2) the Judgment filed January 8, 2007 in the Bankruptcy Court, which is attached to
the Notice of Appeal; and (3) the Transcript of Proceedings conducted December 21, 2006,
which the Clerk of the Bankruptcy Court has previously provided to this Court.